

Applic. No. 10/603,962

Amdt. dated September 19, 2005

Reply to Office action of May 18, 2005

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-4, 6-9, and 11-20 are now in the application. Claim 20 has been amended. Claims 5 and 10 were previously cancelled.

In item 2 on page 2 of the above-identified Office action, the specification has been objected claim 20 has been rejected as failing to comply with the written description requirement under 35 U.S.C. § 112.

More specifically, the Examiner has alleges that the original written description makes no reference to a fuselage with two wings. First, it is noted that claim 20 does not recite a fuselage. Furthermore, the Examiner is respectfully directed to the fifth paragraph on page 2 of the instant application where it is disclosed that the invention is useful for all types of vehicles and their external elements such as wings, fuselages, horizontal and vertical stabilizers. Therefore, it is believed that there is support for at least two wings and that the claim meets the written description requirement. Nevertheless, claim 20 has been amended to delete "at least

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two". Accordingly, it is believed that the rejection has been overcome.

It is accordingly believed that the specification and the claims meet the requirements of 35 U.S.C. § 112, first and second paragraphs. Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

In the penultimate paragraph on page 2 of the above-identified Office action, claims 1-3, 6-8, 13-17, and 20 have been rejected as being fully anticipated by Saiz (U.S. Patent No. 6,082,668) under 35 U.S.C. § 102.

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

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Although applicant responded to the rejection in the previous response, the Examiner has failed to comment on the arguments. The Examiner only alleges in the last paragraph of page 3, that applicant's remarks are deemed to be more specific than what is claimed. Applicants disagree with the Examiner. The arguments made are based on the claim language verbatim and therefore are not more specific than what is claimed. Accordingly, the Examiner's position is incorrect.

Furthermore, it is noted that applicant has addressed the Examiner's rejections and the Examiner has not provided any specific comments with regard to the arguments that were presented by applicant. Applicant kindly requests that in any further Office action, the Examiner fully address arguments presented by applicant.

Claim 1 calls for, *inter alia*:

a second zone on a rear surface adjacent the front surface, wherein the second zone is faired and streamlined, formed by two surfaces and hollow, which does not generate lift and wherein the profile reduces drag and substantially reduces separation of the boundary layer.

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It is noted that the applicant of the instant application is also the inventor of the Saiz reference. Therefore applicant is very familiar with the reference.

The Saiz reference discloses a fuselage having a nose that is inclined upward for creating major lift and a tail that is inclined downward to exploit suction in order to create major lift (column 1, lines 15-27).

The reference does not show a second zone on a rear surface adjacent the front surface, wherein the second zone is faired and streamlined, formed by two surfaces and hollow, which does not generate lift wherein the profile reduces drag and substantially reduces separation of the boundary layer, as recited in claim 1 of the instant application. The Saiz reference explicitly discloses that the tail is inclined downward to create major lift. Saiz is completely silent about streamlining, reducing drag, and reducing the separation of the boundary layer. Saiz does not disclose that a second zone on a rear surface is faired and streamlined so that it does not generate lift. This is contrary to the invention of the instant application as claimed, in which a second zone is provided on a rear surface adjacent the front surface, wherein the second zone is faired and streamlined, formed by two surfaces and hollow, which does not generate lift wherein the

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profile reduces drag and substantially reduces separation of the boundary layer.

The Examiner is respectfully reminded that 35 U.S.C. §102 (b) requires that the present invention must be fully described in the reference. The Saiz reference is completely silent about an aerodynamic profile that is streamlined, reduces drag, and reduces the separation of the boundary layer.

Based on the above provided comments it is seen that Saiz does not anticipate the present invention as claimed.

Since independent claim 1 is believed to be allowable, dependent claims 2-3, 6-8, and 13-17 are believed to be allowable as well.

Claim 20 calls for, *inter alia*:

wings each having a respective front surface being inclined at a positive angle for generating lift.

With the exception of what is shown in Fig. 4 the Saiz reference is completely silent as to the angle of inclination of the front surface of the wing.

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The reference does not show wings each having a respective front surface being inclined at a positive angle for generating lift, as is recited in claim 20 of the instant application. The Saiz reference discloses that the front surface of the wing is inclined at a negative angle (Fig. 4).

Saiz does not disclose a front surface of a wing that is inclined at a positive angle. This is contrary to the invention of the instant application as claimed, in which wings each have a respective substantially planar front surface that is inclined at a positive angle for generating lift.

In item 2 on page 3 of the Office action, claim 4 has been rejected as being obvious over Saiz (U.S. Patent No. 6,082,668) in view of Loeding (U.S. Patent No. 2,503,585) under 35 U.S.C. § 103. Loeding does not make up for the deficiencies of Saiz. Since claim 1 is believed to be allowable, dependent claim 4 is believed to be allowable as well.

In item 3 on page 3 of the Office action, claims 9, 11, 12, and 20 have been rejected as being obvious over Saiz (U.S. Patent No. 6,082,668) under 35 U.S.C. § 103. Since claim 1 is believed to be allowable, dependent claims 9, 11, 12, and 20 are believed to be allowable as well.

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Even though claim 20 is believed to be allowable, the following remarks pertain to the non-obviousness of claim 20.

Saiz discloses a wing with a front surface that is inclined at a negative angle (Fig. 4). Saiz does not provide a person of ordinary skill in the art any motivation or teaching to provide a wing with a front surface that is inclined at anything different than a negative angle. Therefore, claim 20 is not obvious over Saiz.

In item 4 on page 3 of the Office action, claims 18 and 19 have been rejected as being obvious over Saiz (U.S. Patent No. 6,082,668) in view of Saiz (U.S. Patent No. 6,378,803) (hereinafter "'803") under 35 U.S.C. § 103. The '803 reference does not make up for the deficiencies of Saiz. Since claim 1 is believed to be allowable, dependent claims 18 and 19 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 20. Claims 1 and 20 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

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In view of the foregoing, reconsideration and allowance of claims 1-4, 6-9, and 11-20 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

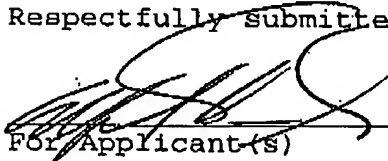
Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$55 in accordance with Section 1.17 is enclosed herewith.



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Please charge any other fees which might be due with respect  
to Sections 1.16 and 1.17 to the Deposit Account of Robert M.  
Schwartz, P.A., No. 19-0734.

Respectfully submitted,

  
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For Applicant(s)

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